THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.17642 OF 2005

DATED: 10-08-2005

BETWEEN;

G.Narsimhulu son of Sri Chandraih and two others.

..PETITIONERS

VS.

The Government of A.P. represented by its Secretary, Cooperation ,Hyderabad and two others.

..RESPONDENTS

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO.17642 OF 2005

ORAL ORDER

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The petitioners are aggrieved by the orders of the 2nd respondent-The District Collector, Warangal dated 25-07-2005 whereby the Kundaram Primary Agricultural Cooperative Society of which they are members has been merged with Lingala Ghanpur Primary Agricultural Cooperative Society, located at the Mandal Headquarters. Earlier, on 20-06-2005 the 2nd respondent notified a proposal to merge Kundaram Primary Agricultural Cooperative Society with Lingala Ghanpur

Primary Agricultural Cooperative Society, as both were identified to be non-viable Primary Agricultural Cooperative Societies, and that Lingala Ganpur Primary Agricultural Society is the focal point society with headquarters at the Mandal. The petitioners submitted their representation on 08-07-2005. These objections asserted, *inter alia,* that the financial position of Kundaram Primary Agricultural Cooperative Society is slightly better than that of Lingala Ghanpur Primary Agricultural Society. However, the petitioners and the other representationists neither contended nor demonstrated that Kundaram Primary Agricultural Cooperative Society is itself financially and functionally viable. In the circumstances, the essential policy of the State to merge non-viable Primary Agricultural Cooperative Societies could not have been interdicted by the petitioners or the disfunctional Primary Agricultural Cooperative Societies concerned. The petitioners, in substance, resist the merger of the Kundaram Primary Agricultural Cooperative Society with any other Primary Agricultural Society including the Lingala Ghanpur Primary Agricultural Cooperative Society. This pursuit they are not entitled to since the Kundaram Primary Agricultural Cooperative Society is not a viable society and in the interests of administrative strategy and on the basis of the policy evolved by the State within its jurisdiction, the merger of non-viable Primary Agricultural Cooperative Societies is permitted under Section 15-A of the A.P. Cooperative Societies Act, 1964. In their representation the petitioners have pleaded that there is a considerable distance between the present location of Kundaram Primary Agricultural Cooperative Society and Lingala Ghanpur Primary Agricultural Cooperative Society in which the Kundaram Primary Agricultural Cooperative Society is merged. Such considerations are extraneous to the essential policy of the State as to the merger of non-viable Primary Agricultural Cooperative Societies. The policy of the State *per se* regarding merger of non-viable Primary Agricultural Cooperative Societies has not been challenged. In the circumstances, the petitioners are not entitled to the relief claimed.

There are no merits in this writ petition. The writ petition is accordingly dismissed. No order as to costs.

GODA RAGHURAM,J

10TH AUGUST,2005

*TSNR